

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION**

**Jamon T. Brim,**

**Plaintiff**

**v.**

**Dell Financial Services, LLC,  
Midland Credit Management,  
Inc., Midland Funding, LLC,**

**Defendants.**

**Civil No. 5:10-CV-369-IPJ**

**PLAINTIFF'S WITNESS AND EXHIBIT LIST**

Comes now the Plaintiff, Jamon T. Brim, and pursuant to Rule 26(a)(3) of the Federal Rules of Civil Procedure, hereby identifies the following Witnesses and Exhibits:

**WITNESS LIST**

1. Jamon T. Brim
2. Kim Hughes, Experian Information Solutions - via videotaped deposition
3. Steve Newnom, Trans Union, LLC - via videotaped deposition
4. Vickie Banks, Equifax Information Services - via videotaped deposition
5. Angelique Ross, Midland Credit Management - via deposition
6. Grant Johnson, Midland Credit Management - via deposition

7. All other employees and/or corporate representatives of Midland Credit Management identified by the Defendant.
8. Any witnesses necessary for rebuttal.

### **EXHIBIT LIST**

**The Plaintiff expects to offer the following exhibits:**

1. Equifax credit report dated July 13, 2008 and score obtained by Jamon Brim (Brim 5-29).
2. Affidavit and Redstone Federal Credit Union Statement of Account for October 13, 2004 through November 12, 2004 received in response to subpoena.
3. Redstone Federal Credit Union Transactional Detail Report
4. Certified Mail Receipts, copy of green cards and postage receipt for dispute letters dated July 29, 2008. (71-73)
5. Certified Mail signed green cards from Equifax, Trans Union, and Experian
6. Express Mail receipt to Midland Credit Management dated March 2009 (114)
7. Denial of Credit by American Express on May 14, 2009 (20-21).
8. Organizational Structure of Encore Capital Group, Inc. And Subsidiaries (MCM205).
9. Midland Credit Management's New Hire Training Manual (MCM 170-201).
10. Letter to Jamon Brim from Midland Credit Management dated January 22, 2008. (MCM 1-2).
11. Letter from Jamon Brim to Midland Credit Management dated July 29, 2008 with attachment. (MCM 3-4).

12. Letter from Jamon Brim to Midland Credit Management dated March 10, 2008 with attachment. (MCM 5-6)
13. Customer Additional Date Sheet (MCM 7)
14. Collection Detail for Account 8525203719 (MCM 8-10).
15. Collection Detail for Account 8525203719 (MCM 52-54).
16. Midland Credit Management Production Notes for account 8525203719 (MCM 14-17).
17. Letter from Zarzaur & Schwartz, P.C. to Jamon Brim regarding Midland Funding account dated April 1, 2008 and attached Statement of Account and Affidavit (MCM 18-21).
18. Summons and Complaint filed by Midland Funding against Jamon Brim in the Small Claims Court of Madison County on May 6, 2008. (MCM 22-23).
19. Letter from Zarzaur & Schwartz to Jamon Brim regarding the lawsuit against Mr. Brim. (MCM 26).
20. Alias Summons filed by Midland Funding on June 4, 2008. (MCM 27-28).
21. Motion to Dismiss filed by Midland Funding on February 10, 2009. (MCM 29).
22. ACDV response from Midland Credit Management to Trans Union on February 25, 2010. (MCM 38).
23. Account History Screens - 8525203719 - (MCM 39).
24. Customer Additional Data - Portfolio Information Screens (MCM 49-51).
25. Consumer Information Maintenance Screens (MCM 58-60).
26. Phone Maintenance Screens (MCM 67-69).

27. Letter History Inquiry Screen (MCM 73-75).
28. Credit Bureau Reports List Screen (MCM 88-90).
29. Credit Bureau Report Detail for 11/16/07 - 2/17/10 (MCM 91-118).
30. Account Resolution Screen (MCM 128-130).
31. Midland Credit Management Consumer Relations Operations Manual - Dispute Paid Prior to Purchase Process - 45 Day Verbal Disputes (MCM 163-164).
32. Midland Credit Management Consumer Relations Operations Manual - Written Dispute Paid Prior to Purchase Process - 45 Day Written Disputes (MCM 165-166).
33. Midland Credit Management Consumer Relations Operations Manual - Dispute Paid Prior to Purchase Process - Verbal Dispute Paid Prior Outside 45 Days (MCM 167).
34. Midland Credit Management Consumer Relations Operations Manual - Written Dispute Paid Prior to Purchase Process - Written Dispute Outside 45 Days (MCM 168-169).
35. Midland Credit Management's Module 6- Disputes & Warning Codes (MCM 202-204).
36. Universal Data Form created by Midland Credit Management dated September 9, 2010 (MCM 206).

**The following exhibits were offered at the Deposition of Vickie Banks as representative for Equifax Information Services**

37. Letter of Dispute dated July 29, 2008 from Jamon Brim to Equifax, and attached documents. (Exhibit 1)
38. Equifax ACIS and Maintenance Summary Sheet dated August 27, 2008.

(Exhibit 2)

- 39. Letter of Dispute dated March 10, 2009 from Jamon Brim to Equifax, and attached documents. (Exhibit 3)
- 40. Equifax ACDV Response from Midland dated March 20, 2009. (Exhibit 4)
- 41. Equifax ACIS and Maintenance Summary Sheet dated March 20, 2009. (Exhibit 5)
- 42. ACDV responses dated February 1, 2009 and February 1, 2010, from Midland to Trans Union, forwarded to Equifax by Trans Union. (Exhibit 6)

**The following Exhibits were offered at the Deposition of Steve Newnom as representative for Trans Union**

- 43. Trans Union History of Communication with Jamon Brim dated July 29, 2008, and consumer disclosure. (Exhibit 1)
- 44. Trans Union History of Communication with Jamon Brim dated July 29, 2008, and consumer disclosure. (Exhibit 2)
- 45. Request for Investigation from Jamon Brim received by Trans Union on August 4, 2008. (Exhibit 3)
- 46. Letter of Dispute dated July 29, 2008, from Jamon Brim to Trans Union, and attached documentation. (Exhibit 4)
- 47. Trans Union Maintenance summary dated August 4, 2008. (Exhibit 5)
- 48. Trans Union letter to Jamon Brim dated August 5, 2008. (Exhibit 6)
- 49. ACDV Response from Midland to Trans Union dated August 4, 2008. (Exhibit 7)
- 50. Trans Union Dispute Line Item - Trandeline Record dated August 5, 2008. (Exhibit 8)

51. Trans Union Results of Investigation Consumer Disclosure dated August 7, 2008. (Exhibit 9)
52. Letter of Dispute dated March 10, 2009, from Jamon Brim to Trans Union, and attached documentation. (Exhibit 10)
53. Trans Union Consumer Disclosure dated March 18, 2009. (Exhibit 11)
54. ACDV Response from Midland to Trans Union dated March 20, 2009. (Exhibit 12)
55. Trans Union Dispute Line Item - Tradeline Record dated March 18, 2009. (Exhibit 13)
56. Trans Union Results of Investigation to Jamon Brim dated March 20, 2009. (Exhibit 14)
57. Trans Union Consumer Disclosure dated February 24, 2010. (Exhibit 15)
58. ACDV Response from Midland to Trans Union dated February 26, 2010. (Exhibit 16)
59. Trans Union Dispute Line Item - Tradeline Record and Results of Investigation Consumer Disclosure dated March 1, 2010. (Exhibit 17)
60. Trans Union receipt of UDF from Midland dated September 10, 2010. (Exhibit 19).

**The following Exhibits were offered at the Deposition of Kim Hughes as representative for Experian Information Solutions.**

61. Experian Consumer Disclosure for Jamon Brim dated July 29, 2008. (Exhibit 1)
62. Experian Consumer Disclosure for Jamon T. Brim dated July 29, 2008. (Exhibit 2)

63. Letter of Dispute dated July 29, 2008 from Jamon Brim to Experian, and attached documents. (Exhibit 3)
64. Experian Automated Consumer Dispute Verification response from Midland Credit Management dated August 12, 2008. (Exhibit 5)
65. Experian Transaction Log received August 6, 2008. (Exhibit 6)
66. Experian Investigation Results Disclosure to Jamon T. Brim dated August 12, 2008. (Exhibit 7)
67. Letter of Dispute dated March 10, 2009, from Jamon Brim to Experian, and attached documents. (Exhibit 8)
68. Experian Transaction Log received March 19, 2009. (Exhibit 9)
69. Experian Transaction Log received March 20, 2009. (Exhibit 10)
70. Experian Consumer Disclosure for Jamon Brim dated February 18, 2010. (Exhibit 11)
71. Experian Transaction Log received February 25, 2010. (Exhibit 12)
72. Experian Consumer Disclosure for Jamon T. Brim dated March 26, 2010. (Exhibit 13)
73. Experian Automated Consumer Dispute Verification to Midland Credit Management dated March 26, 2010. (Exhibit 14)
74. Experian Investigation Results Disclosure to Jamon T. Brim dated April 22, 2010. (Exhibit 15)
75. Experian Transaction Log received September 9, 2010. (Exhibit 16)

**The Plaintiff may offer the following exhibits:**

76. Midland Credit Management's Answers to Interrogatories

- 77. Encore Capital Management Annual Report for 2009
- 78. Equifax Terminal Audit Report. (Exhibit 7 to deposition)
- 79. Experian D/R Log Report (Exhibit 17)
- 80. Experian Disclosure Log (Exhibit 18)
- 81. Subscriber Agreement between Experian and Midland Credit Management. (Exhibit 19)

/s/ Penny Hays Cauley  
Penny Hays Cauley (ASB-6309-A63P)  
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**CERTIFICATE OF SERVICE**

I hereby certify that on February 1, 2011, I electronically filed the foregoing via the CM/ECF System, which will notify the following counsel of record:

Eric B. Langley, Esq.  
Jason B. Tompkins, Esq.  
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/s/ Penny Hays Cauley  
Of Counsel